IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 2114 of 1987

M/s.Pranav Export Pvt.Ltd. .. Plaintiff

versus

M/s.Lohiya Gums Chemicals Industries..Defendant

...

Ms.Sonali Jain i/b Dave & Co. for the plaintiff.

Mr.Kantilal Kanojia i.b Purohit & Co. for defendant

CORAM : D.G. KARNIK, J

DATED : 14th July 2006.

P.C.:

1. Heard learned counsel for the parties. The defendant has not filed written statement though more than 19 years have passed.

2. Learned counsel for the plaintiff submits that in the absence of written statement, averments made in the plaint are deemed to be admitted. she prays that a decree be passed under Order 8 rule 5(2) r/w Order 8 Rule 10 CPC. Submission is accepted and the suit of

the plaintiff is decreed in terms of the prayer clause.

3, Learned counsel for the defendant states that the defendant has filed a suit in Jodhpur Court and the same has been decreed. The defendant has not placed on record a copy of the plaint or a decree therein. In the circumstances, nothing more can be done in the matter.

(D.G. KARNIK, J)